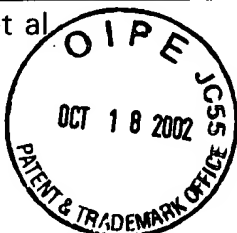


10-21-02 Log 1700

DAC #9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Elazar Rabbani et al )  
Serial No. 09/896,897 )  
Filed: June 30, 2001 )  
Title: NOVEL COMPOSITIONS AND PROCESSES )  
FOR ANALYTE DETECTION, )  
QUANTIFICATION AND AMPLIFICATION )



Group Art Unit: Not Yet Known

Examiner: Not Yet Known

527 Madison Avenue, 9th Floor  
New York, New York 10022  
October 18, 2002

**FILED BY EXPRESS MAIL**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Attention: Customer Service Center  
Initial Patent Examination Division (703) 308-1202

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OCT 22 2002

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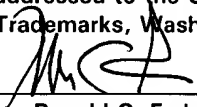
**COMMUNICATION**

(IN RESPONSE TO THE SEPTEMBER 19, 2002 NOTICE OF ABANDONMENT  
UNDER 37 CFR 1.53 (f) or (g))

Dear Sirs:

This Communication is in response to the Notice of Abandonment Under 37 CFR 1.53(f) or (g) that was issued on September 19, 2002 in connection with the above-identified application. A copy of the September 19, 2002 Notice of Abandonment is attached as Exhibit 1.

BEST AVAILABLE COPY

EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No.	EV086339819US
Deposit Date	October 18, 2002
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231.	
 Ronald C. Fedus Reg. No. 32,567	OCT 18 2002 Date



In the September 19, 2002 Notice of Abandonment (Exhibit 1), it was indicated:

"[t]he above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 10/12/2001.

- No reply was received."

Applicants wish to point out that the September 19, 2002 Notice of Abandonment was issued in error because a reply to the October 12, 2001 Notice to File Missing Parts (Notice) was filed on June 28, 2002. Attached to this Communication as Exhibit 2 is Applicants' June 28, 2002 reply. The attached reply (Exhibit 2) consisted of the following documents:

- 1) Petition Under 37 C.F.R. §1.137(b) To Revive An Unintentionally Abandoned Application;
- 2) Oath;
- 3) Assignment<sup>1</sup>;
- 4) Substitute Drawings; and
- 5) Sequence Listing.

Thus, Applicants' reply to the October 12, 2001 Missing Parts Notice included the above-identified and attached Oath, Assignment, Substitute Drawings and Sequence Listing. As evidence that Applicants' reply (Exhibit 2) was filed on June 28, 2002, copies of the white return postcard and green postal return receipt are also attached as Exhibits 3 and 4, respectively. The white return postcard (Exhibit

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<sup>1</sup> Because the submitted Assignment was returned with a Notice of Non-Recordation of Document mailed on September 11, 2002, Applicants' attorney is correcting the cover sheet to comply with the Notice of Non-Recordation. The Assignment is being re-submitted in a separate paper and filing. A copy of September 11, 2002 Notice of Non-Recordation is attached to this Communication as Exhibit 5 to show that it was previously submitted in Applicants' June 28, 2002 Reply.

Efazar Rabbani et al.  
Serial No. 09/896,897  
Filed: June 30, 2001



Page 3 [Communication (In Response To The September 19, 2002 Notice of Abandonment Under 37 CFR 1.53 (f) or (g)) - October 18, 2002]

3) bears the Patent and Trademark Office date stamp indicating receipt on June 28, 2002.

No fee or fees are believed due in connection with this Communication. In the event that any fee or fees are due, however, The Patent and Trademark Office is hereby authorized to charge Deposit Account No. 05-1135 for any such fee(s), or to credit any overpayment thereto.

Favorable action on this Communication is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ronald C. Fedus".

Ronald C. Fedus  
Registration No. 32,567  
Attorney for Applicants

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